

**Listing of Claims:**

Claims 1-4 (Canceled).

5. (New) A volume control apparatus of a radial piston pump or motor for regulating a volume by positioning a cam ring of the radial piston pump or motor, said volume control apparatus comprising:

5           a servo piston which presses the cam ring so as to position the cam ring;

          an oil chamber corresponding to the servo piston, wherein the servo piston is driven in accordance with a driving pressure in the oil chamber; and

10           a control valve which is built-in the servo piston, and which controls inflow and outflow of oil in the oil chamber, and which is positioned by applying a volume control pressure thereto;

15           wherein the driving pressure in the oil chamber is changed by changing the position of the control valve by controlling the volume control pressure applied to the control valve.

6. (New) The volume control apparatus as claimed in claim 5, wherein the servo piston, the oil chamber and the control valve are positioned at a first side of the cam ring, and

the volume control apparatus further comprises another set of the  
5 servo piston, the oil chamber, and the control valve positioned  
at a second side of the cam ring which is opposite to the first  
side of the cam ring.

7. (New) The volume control apparatus as claimed in  
claim 5, wherein the control valve is slidable with respect to  
the servo piston.

8. (New) A positioning apparatus comprising:  
a servo piston which presses a member to be positioned;  
an oil chamber corresponding to the servo piston, wherein  
the servo piston is driven in accordance with a driving pressure  
5 in the oil chamber; and

a control valve which is built-in the servo piston, and  
which controls inflow and outflow of oil in the oil chamber, and  
which is positioned by applying a control pressure thereto;

10 wherein the driving pressure in the oil chamber is changed  
by changing the position of the control valve by controlling the  
control pressure applied to the control valve.

9. (New) The positioning apparatus as claimed in claim 8,  
wherein the control valve is slidable with respect to the servo  
piston.